



Rep. Esther Golar

Filed: 2/28/2006

09400HB4727ham002

LRB094 16465 DRH 56581 a

1 AMENDMENT TO HOUSE BILL 4727

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 4727 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Vehicle Code is amended by  
5 changing Section 18a-404 as follows:

6 (625 ILCS 5/18a-404) (from Ch. 95 1/2, par. 18a-404)

7 Sec. 18a-404. Operator's and dispatcher's employment  
8 permits - Revocation.

9 (1) The Commission may ~~shall~~ suspend or revoke the permit  
10 of an operator or dispatcher if the holder does not make a  
11 compelling showing that he or she is nevertheless fit to hold a  
12 permit after the Commission ~~if it~~ finds that:

13 (a) The operator or dispatcher made a false statement  
14 on the application for an operator's or dispatcher's  
15 employment permit;

16 (b) The operator's or dispatcher's driver's license  
17 issued by the Secretary of State has been suspended or  
18 revoked; ~~or~~

19 (c) The operator or dispatcher has been convicted,  
20 during the preceding 5 years, of any criminal offense of  
21 the State of Illinois or any other jurisdiction involving  
22 any of the following, ~~and the holder does not make a~~  
23 ~~compelling showing that he is nevertheless fit to hold an~~  
24 ~~operator's license:~~

1 (i) Bodily injury or attempt to inflict bodily  
2 injury to another;

3 (ii) Theft of property or attempted theft of  
4 property; or

5 (iii) Sexual assault or attempted sexual assault  
6 of any kind; ~~or~~

7 (d) The operator or dispatcher has, during the  
8 preceding 5 years, violated this Chapter, Commission  
9 regulations or orders, or any other law affecting public  
10 safety.

11 (2) The Commission, upon notification and verification of  
12 any conviction described in this Section, of any person to whom  
13 license has been issued, occurring within the 5 years prior to  
14 such issuance or any time thereafter, shall immediately suspend  
15 the employment permit of such person, and issue an order  
16 setting forth the grounds for revocation. The person and his  
17 employer shall be notified of such suspension. Such person  
18 shall not thereafter be employed by a relocater until a final  
19 order is issued by the Commission either reinstating the  
20 employment permit, upon a finding that the reinstatement of an  
21 employment permit to the person constitutes no threat to the  
22 public safety, or revoking the employment permit.

23 (3) If the employment permit is revoked, the person shall  
24 not thereafter be employed by a relocater until he obtains an  
25 employment permit license under Article IV of this Chapter.

26 (Source: P.A. 85-923.)".